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18 *HOLDINGS, INC. and KANKAN LIMITED*

China Branding Group Ltd. (in Official
Liquidation)
c/o Grant Thornton Specialist Services
(Cayman) Ltd
10 Market Street #765, Camana Bay,
Grand Cayman

Joint Official Liquidators, Hugh Dickson,
Grant Thornton Specialist Services (Cayman)
Limited
10 Market Street No. 765
Camana Bay, Grand Cayman KY1 9006
Cayman Islands

-and-
David Bennett
Grant Thornton Recovery and
Reorganisation Limited
12th Floor, 28 Hennessy Road
Wanchai
Hong Kong SAR
+852 3987 1200
Pro Se Defendants

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 REMARK HOLDINGS, INC., et al.,

17 *Plaintiffs,*

18 v.

19 CHINA BRANDING GROUP LIMITED (IN OFFICIAL
20 LIQUIDATION), et al.,

21 *Defendants.*

Case No. 2:18-cv-00322

22 **STIPULATION FOR FURTHER
23 EXTENSION OF TIME FOR
24 CAYMAN DEFENDANTS TO
25 RESPOND TO COMPLAINT
26 (FOURTH AND FINAL REQUEST)**

27 Pursuant to Fed. R. Civ. P. 12(a)(1) and LR IA 6-1, Remark Holdings, Inc.; Kankan Limited;
28 China Branding Group Limited (In Official Liquidation), an exempted Cayman Islands company
acting by and through its joint official liquidators ("CBG"); and the Joint Official Liquidators, with
no personal liability, Hugh Dickson of Grant Thornton Specialist Services (Cayman) Ltd, and David
Bennett of Grant Thornton Recovery and Reorganisation Ltd (the "JOLs," and together with CBG,
the "Cayman Defendants") hereby stipulate to the further extension of the Cayman Defendants' time

1 to respond to the Complaint to September 14, 2018. In support of this stipulation, the undersigned
2 parties state as follows:

3 1. On May 10, 2018, the Bailiff of the Grand Court of the Cayman Islands (the “Grand
4 Court”) attempted to effect service of the Summons and Complaint on each of the Cayman
5 Defendants, as demonstrated by the Affidavits of Service dated May 11, 2018 [ECF Nos. 27-29],
6 and their time to respond to the Complaint was originally May 31, 2018, which time was extended
7 to June 29, 2018 [see ECF No. 33].

8 2. CBG does not contest service of the Summons and Complaint. The JOLs do not
9 believe that service of the Summons and Complaint has properly been made upon them. However,
10 the JOLs are voluntarily electing to waive service of the Summons and Complaint.

11 3. Pursuant to Section 110(2) of the Companies Law (2018 Revision) of the Cayman
12 Islands, “The official liquidator may – (a) with the sanction of the Court, exercise any of the powers
13 specified in Part I of Schedule 3 ...” [*Emphasis added*]. That Schedule states “SCHEDULE 3, Powers
14 of Liquidators, Part I, Powers exercisable with sanction, 1. Power to bring or defend any action or
15 other legal proceeding in the name and on behalf of the company.”

16 4. Accordingly, the Cayman Defendants are obliged to seek approval from the
17 Liquidation Committee of CBG, following which the Cayman Defendants must apply to the Grand
18 Court for permission to defend this proceeding and retain U.S. counsel. The Cayman Defendants
19 have entered into a “funding agreement” in order to retain counsel for their defense, which the
20 Cayman Defendants expect the Grand Court to approve this week, after which the Cayman
21 Defendants’ U.S. counsel will have two weeks to prepare a response to the complaint. Accordingly,
22 the Cayman Defendants have requested a fourth and final extension of their time to respond to the
23 Complaint in order to obtain those approvals.

24 5. This is the undersigned parties’ fourth request for an extension. The first request was
25 submitted on June 11, 2018, and was approved by the Honorable Magistrate Judge Carl W. Hoffman
26 on June 22, 2018. [ECF No. 33]. The second request was submitted on June 28, 2018, and was
27 approved by the Honorable Magistrate Judge Carl W. Hoffman on July 2, 2018. [ECF No. 35]. The
28

1 third request was submitted on August 3, 2018, and was approved by the Honorable Magistrate Judge
2 Carl W. Hoffman on August 16, 2018. [ECF No. 37].

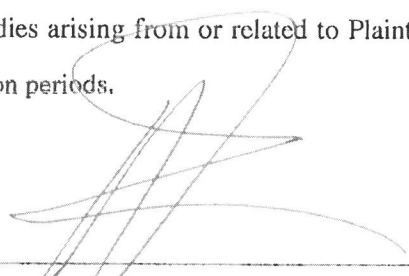
3 6. The undersigned parties stipulate and agree that Plaintiffs' consent to the Cayman
4 Defendants' extension requests is subject to the Cayman Defendants' agreement to not assert or
5 otherwise raise any defense to liability, damages or remedies arising from or related to Plaintiffs'
6 alleged failure to prosecute this action during such extension periods.

7
8 DATED: August 29, 2018

9
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20 *HOLDINGS, INC. and KANKAN LIMITED*


21 JOINT OFFICIAL LIQUIDATORS, with no
22 personal liability, HUGH DICKSON OF
23 GRANT THORNTON SPECIALIST
24 SERVICES (CAYMAN) LTD, and DAVID
25 BENNETT OF GRANT THORNTON
26 RECOVERY AND REORGANISATION
27 LTD
28 *for and on behalf of*
CHINA BRANDING GROUP LIMITED
(IN OFFICIAL LIQUIDATION)

Pro se Defendants

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 REMARK HOLDINGS, INC., et al.,

Case No. 2:18-cv-00322

4 *Plaintiffs,*

5 v.

6 CHINA BRANDING GROUP LIMITED (IN OFFICIAL
7 LIQUIDATION), et al.,

8 *Defendants.*

**ORDER ON STIPULATION FOR
FURTHER EXTENSION OF TIME
FOR CAYMAN DEFENDANTS TO
RESPOND TO COMPLAINT
(FOURTH HAND FINAL REQUEST)**

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11 The Court, having considered the above stipulation of the parties, and good cause appearing,
12 finds as follows:

13 1. Defendant China Branding Group Limited (In Official Liquidation), an exempted
14 Cayman Islands company acting by and through its joint official liquidators, with no personal liability
15 ("CBG") was validly served with the Summons and Complaint on May 10, 2018. The Joint Official
16 Liquidators, Hugh Dickson of Grant Thornton Specialist Services (Cayman) Ltd, and David Bennett
17 of Grant Thornton Recovery and Reorganisation Ltd (the "JOLs," and together with CBG, the
18 "Cayman Defendants"), dispute that they have been properly served with the Summons and
19 Complaint, however, the JOLs agreed to voluntarily accept service of the Summons and Complaint.
20 The Cayman Defendants' time to respond to the Complaint is presently August 31, 2018.

21 2. The Cayman Defendants have requested a further extension in order to obtain
22 approvals of the Grand Court of the Cayman Islands (the "Grand Court"), which approval is required
23 to enable the Cayman Defendants to defend this proceeding and retain U.S. counsel. That approval
24 process has been commenced but the Cayman Defendants have not yet received the approval of the
25 Grand Court, but have received approval of the Liquidation Committee and have entered into a
26 funding agreement.

27 3. This is the undersigned parties' fourth request for an extension.
28

1 IT IS ORDERED THAT the Cayman Defendants shall have until September 14, 2018 to file
2 a response to the Complaint.

3
4 IT IS SO ORDERED:

5
6 
7 United States Magistrate Judge

8
9 DATED: August 31, 2018

